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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,776	01/07/2005	John B. Davidson	742-280	2426
757 7590 05/29/2007 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EXAMINER MCDONALD, SHANTESE L	
			ART UNIT 3723	PAPER NUMBER
			MAIL DATE 05/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,776

Applicant(s)

DAVIDSON, JOHN B.

Examiner

Shantese L. McDonald

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3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,3,5,7-19 and 33-48 is/are allowed.
- 6) ☐ Claim(s) 20,22 and 31 is/are rejected.
- 7) ☐ Claim(s) 21,23-30 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/8/07
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20, 22 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts et al.

Roberts et al. teaches a quick release mechanism comprising a tool comprising a drive stud comprising an out-of-round drive portion, 12, an adjacent portion, 14, an upset portion, 52, extending radially outwardly from the adjacent portion, and a passageway, 16, extending obliquely with respect to a longitudinal axis, a locking element, 24, slidably received in the passageway to slide between a tool attachment engaging position and a tool attachment release position, and a coil spring, 48, extending around the adjacent portion, the spring comprising a first end coupled with the locking element, and a second end reacting against the upset portion, a releasing spring, 50, biasing the locking element, and collar, 34, extending around the coil spring.

Allowable Subject Matter

Claims 21,23-30 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1,3,5,7-19 and 33-48 are allowed.

Response to Arguments

Applicant's arguments filed 3/8/07 have been fully considered but they are not persuasive.

The Applicant argues that Roberts teaches a shoulder onto which the spring abuts and not an upset portion of a drive stud against which a coil spring reacts. The Examiner disagrees. The specification of the present application states that the spring has a first end that bears directly on the ring and a second end that bears on a shoulder. The specification goes on to further state that the shoulder can be formed by machining the radially inner surface, or by upsetting the extension bar. Therefore the present application states that by upsetting the extension bar, a shoulder is formed upon which the spring abuts. Roberts teaches a shoulder upon which a spring abuts, therefore the teachings are one in the same.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantese L. McDonald whose telephone number is (571) 272-4486. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.L.M.
May 15, 2007



Joseph J. Hail, III
Supervisory Patent Examiner
Technology Center 3700

FORM PTO-1449	APPLICATION NO. 10/520,776	ATTORNEY DOCKET NO. 742/280
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 7, 2005	GROUP ART UNIT 3723
	(use several sheets if necessary)	
FIRST NAMED INVENTOR: John B. Davidson		
EXAMINER NAME: Shantese L. McDonald		

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/ Subclass	Filing Date
/SM/	A1	4,768,405	09-06-1988	Nickipuck		
	A2	4,848,198	07-18-1989	Roberts		
	A3	4,938,107	07-03-1990	Nickipuck		
	A4	5,813,296	09-29-1998	Hoff et al.		
	A5	5,911,800	08-15-1999	Roberts et al.		
/SM/	A6	6,182,536 B1	02-06-2001	Roberts et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER Country Code, Number -Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/ Subclass	T

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS	Cite No.	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T
/SM/	A7	International Search Report for International Application No. PCT/US02/32633 dated January 15, 2003.	

NOTE: For "T" - please place an "X" if an English translation is being provided to the Patent Office.

EXAMINER /Shantese McDonald/	DATE CONSIDERED 05/15/2007
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.